

### REMARKS

This Amendment is being filed in accordance with 37 C.F.R. §116 and in response to the Final Office Action, dated October 8, 2008. Claims 1, 2 and 16 have been amended. Withdrawn claims 24 through 28 have been cancelled. Claims 6 and 11 through 14 were previously cancelled. The application now includes claims 1 through 5, 7 through 10, 15 through 18 and 23, with claims 1, 2, 15 and 16 being independent claims. Favorable reconsideration of the application, as amended, is respectfully requested.

In the Final Office Action, the Examiner rejected independent claim 15 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,713,714 to Gatti et al. The Examiner stated that the Gatti et al. reference disclosed all or the limitations recited in claim 15. Specifically, the Examiner stated that the Gatti et al. reference disclosed an outer supporting structure having a base portion and a cylindrical threaded outer portion formed integrally with the base portion and extending from the base portion that is adapted to be attached to a vehicle, as recited in claim 15. Applicants note that the antecedent to the recited limitation “that is adapted to be attached to a vehicle” is the threaded outer portion which is labeled 67 in Fig. 5 of the application. Applicants have carefully reviewed the Gatti et al. reference and nothing in the reference shows or suggests a cylindrical threaded outer portion formed integrally with the base portion and extending from the base portion that is adapted to be attached to a vehicle, as recited in claim 15.

The Examiner also stated that the Gatti et al. reference discloses an inner supporting structure (20) that has a base portion and a cylindrical threaded outer portion formed integrally with the base portion and extending from the base portion. Applicant notes that claim 15 also recites:

a control unit for controlling a vehicle system having a threaded bore corresponding to said cylindrical threaded inner portion of said inner supporting structure formed therein, *said threaded bore receiving said cylindrical threaded inner portion of said inner supporting*

*structure* such that said control unit is secured to said inner supporting structure (Emphasis Added.)

As indicated above, applicants have carefully reviewed the Gatti et al. reference. Based upon their review, applicants believe that nothing in the reference shows or suggests that a cylindrical threaded inner portion formed integrally with an inner supporting structure base with the threaded portion being received by a threaded bore formed in a control unit. Indeed, the Gatti et al. reference clearly states, in column 2, lines 43 through 45, that:

Suitable means, such as screws 81 and 82 are provided for substantially rigidly securing disc drive assembly 1 to cradle 20.

By disclosing separate screws for attaching the disc drive assembly to the cradly, applicants believe that the Gatti et al. reference actually teaches away from the structure recited in claim 15.

Based upon the differences described above, applicants do not believe that claim 15 is anticipated by the Gatti et al. reference and respectfully request that the Examiner withdraw his rejection of the claim.

Regarding claim 23, the claim is dependent upon independent claim 15 and includes all of the limitations recited therein. Accordingly, for the reasons given above, applicants also believe that claim 23 is not anticipated by the Gatti et al. reference and respectfully request that the Examiner withdraw his rejection of the claim.

In the Final Office Action, the Examiner also rejected claims 1 through 5 and 7 through 10 under 35 U.S.C. §103(a) as being unpatentable over the Gatti et al. reference in view of U.S. Patent No. 6,445,587 to Pavol. Regarding independent claim 1, the Examiner stated that the Gatti et al. reference disclosed all of the limitations recited in the claim except for a resilient layer covering substantially the entire surface of a supporting shell that is adjacent to a control unit. The Examiner further stated that the Pavol reference teaches the limitation that is missing from the

Gatti et al. reference. The Examiner then concluded that it would be obvious to combine the Gatti et al. and Pavol references to obtain the structure recited in claim 1.

Applicants have amended independent claim 1 to recite that the resilient material is also adapted to be placed in contact with the control unit. The amendment is fully supported by Fig. 4 in the application and, therefore, adds no new material.

Upon careful review of the Pavol reference, applicants note that the reference teaches a resilient foam layer 126 that is adjacent to a rigid cover layer 128, as illustrated in Fig. 3 of the reference. Applicants believe that the Pavol reference actually teaches a combination of resilient and rigid layers that is placed between a supporting structure and a drive module. The two layer structure provides enhanced damping, which is described in column 5, lines 49 through 52, of the reference as the following:

Using a rigid material for the cover layers 128, and attaching the cover layers 128 to the resilient layers 126 with adhesive layers 144 (See Fig. 2) create constrained layer dampers.

Additionally, as stated in column 5, lines 60 through 62:

Another function of the cover layers 128 is to provide a tough, friction reducing barrier between the resilient layers 126 and the drive modules 106.

As explained in the reference, the friction reducing barrier is needed because the spaces into which the modules are inserted are deliberately undersized to assure compression of the resilient layer. Indeed, because the Pavol reference teaches two layers placed between a supporting structure and a control unit, applicants believe that the reference actually teaches away from the structure recited in claim 1. Therefore, combining the Gatti et al. and Pavol references will not result in the

structure recited in amended claim 1. Accordingly, applicants believe that amended independent claim 1 is patentable over the art of record and respectfully request that the Examiner withdraw his rejection of the claim.

Regarding claim 2, applicants have rewritten the claim in independent form to include limitations recited in claim 1. The rewritten claim is fully supported by Fig. 2 in the application and, therefore adds no new matter. Rewritten claim 2 recites that a resilient layer is attached to both an outer and an inner shell of a mounting device. As described above, applicants believe that the Pavol reference teaches two layers disposed between inner and outer shells. Accordingly, for the reasons given above, applicants also believe rewritten independent claim 2 is patentable over the art of record and respectfully request that the Examiner withdraw his rejection of the claim.

Regarding claims 3 through 5 and 7 through 10, the claims are dependent upon rewritten claim 2 and include all of the limitations recited therein. Accordingly, for the reasons given above, applicants also believe claims 3 through 5 and 7 through 10 are patentable over the art of record and respectfully request that the Examiner withdraw his rejection of the claims.

In the Final Office Action, the Examiner further rejected claims 16 through 18 under 35 U.S.C. §103(a) as being unpatentable over the Gatti et al. reference in view of the Pavol reference. Regarding independent claim 16, the Examiner stated the same reasons for rejecting the claim that he stated for rejecting claim 1.

Applicants have amended claim 16 in the same manner that they amended claim 1. Accordingly, for the reasons given above, applicants also believe amended independent claim 16 is patentable over the art of record and respectfully request that the Examiner withdraw his rejection of the claim.

Regarding claims 17 and 18, the claims are dependent upon amended claim 16 and include all of the limitations recited therein. Accordingly, for the reasons given above, applicants also believe claims 17 and 18 are patentable over the art of

record and respectfully request that the Examiner withdraw his rejection of the claims.

Upon acceptance of the above amendments and in consideration of the above remarks, it is believed that the application would be placed in condition for allowance.

Respectfully submitted,

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